

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:06CR176-C**

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|---------------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| ANTOINE RYAN MORGAN, |) | |
| |) | |
| Defendant. |) | |
| |) | |

THIS MATTER is before the Court upon the Defendant's "Motion to Determine Competency of Defendant to Stand Trial" (document #12) filed December 4, 2006. The motion will be granted, as set forth below.

Upon examination of the record and the motion in this case, the Court finds that there is reasonable cause to believe that the Defendant may have been at the time of the offense suffering from a mental disease or defect rendering him unable to understand the nature and quality or the wrongfulness of his acts, and/or that he may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Accordingly, on the basis of the foregoing, **IT IS, HEREBY, ORDERED:**

1. That, pursuant to 18 U.S.C. § 4247(b), the Defendant be committed forthwith to the custody of the Attorney General for placement in a suitable facility for the purpose of a psychological or psychiatric examination of the Defendant pursuant to 18 U.S.C. §§ 4241(a) and (b) and 4242(a);
2. That the time period for the examination be calculated to begin upon the Defendant's arrival at the designated institution; and
3. That the report of the results of such examination be filed with the Court with copies provided to defense counsel and the United States Attorney as required

by 18 U.S.C. § 4247(c).

The Clerk is directed to certify copies of this Order to defense counsel, the United States Attorney, and the United States Marshal, with two additional copies of transmittal by the Marshal to the Warden of the designated institution.

SO ORDERED.

Signed: December 5, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

